

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

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In the matter of )  
 )  
Joint Application by BellSouth Corporation, )  
BellSouth Telecommunications Inc., and )  
BellSouth Long Distance, Inc. for Provision )  
of In-Region, InterLATA Services )  
in Georgia and Louisiana. )

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CC Docket No. 02-35

**REPLY COMMENTS OF XSPEDIUS CORP.**

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Dated: March 28, 2002

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Xspedius Corp. (“Xspedius”) files these reply comments in opposition to the Joint Application of BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., (collectively “BellSouth”) for authority to provide in-region, interLATA services in the States of Georgia and Louisiana, pursuant to section 271 of the Communications Act of 1934, as amended.<sup>1</sup>

Xspedius is a facilities-based, Competitive Local Exchange Carrier (“CLEC”) providing local exchange and telephone toll services in the State of Louisiana.<sup>2</sup> In Louisiana, Xspedius provides facilities-based local and long distance services in Baton Rouge, Lafayette, Lake Charles, New Orleans and Shreveport. Xspedius has its principal corporate offices located at 901 Lakeshore Drive, Lake Charles, Louisiana 70601. Xspedius primarily serves small to medium size business customers in Baton Rouge, Lafayette, Lake Charles, New Orleans and Shreveport utilizing its own facilities, and by purchasing unbundled network elements (“UNEs”),

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<sup>1</sup> 47 U.S.C. § 271. *See Comments Requested on the Joint Application by BellSouth Corporation for Authorization Under Section 271 of the Communications Act to Provide In-Region, InterLATA Service in the States of Georgia and Louisiana*, Public Notice, CC Docket No. 02-35, DA 02-337 (February 14, 2002).

<sup>2</sup> Xspedius is currently providing service in five of the nine BellSouth states, including Alabama, Louisiana,

number portability and interconnection services, including collocation, from BellSouth. In order to be able to meaningfully compete with BellSouth, Xspedius must receive access to UNEs, local number portability, and interconnection, including collocation, in a timely and nondiscriminatory manner.

Xspedius filed comments in this docket on March 4, 2002, and reiterates those comments herein.

In its comments, Birch Telecom of the South, Inc. (“Birch”) raised provisioning issues associated with Digital Subscriber Line (“DSL”) capable loops. Xspedius has experienced many of the same problems associated with DSL capable loops as set forth in Section VI of Birch’s comments. For example, Xspedius has experienced instances where a BellSouth retail customer seeking to convert to Xspedius discovers that it has BellSouth DSL service on its account. As explained by Birch, before converting a customer to a UNE-P arrangement, BellSouth requires that its DSL service be removed from the end user’s retail account or the voice line with the DSL service remains with BellSouth. Like Birch, Xspedius has experienced instances where a DSL USOC (Uniform Service Order Code) was present, but the end user would claim that he did not subscribe to DSL service nor was he being billed for it. BellSouth does not allow the CLEC to drop the DSL USOC at the time of conversion. Thus, the end user is required to call BellSouth Retail to request that the USOC be removed. This delays the conversion process, results in customer frustration, and ultimately hinders Xspedius’ ability to effectively compete in the local market.

Respectfully submitted:

/s/ Paul F. Guarisco

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